

## REMARKS

### **Claim Status**

Claims 1-34 are currently pending in the application.

Claims 1-23 and 27-34 stand rejected under 35 U.S.C. § 102(b) in view of Abe (US 4,989,714)

### **Rejection Under 35 U.S.C. § 102(b)**

Claims 1-23 and 27-34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Abe, US. Patent No. 4,989,714. The Examiner indicates that Abe shows a coin separator and rejector body having two segments (12, 13) hinged together at hinge (14), with a raceway defined therebetween, and further including an upstream portion and downstream portion, as mentioned in Column 4, lines 5-15 and illustrated in Fig 7-9. In addition, the Examiner indicates that lines 9-30 of Column 5 of Abe discloses sensors in the form of coils (17, 17'), located in the upstream portion and sensors (42, 42) located at the outlets located in the downstream portion, are in communication with programmed microprocessor (39), said microprocessor sending signals to trigger external interfaces (40, 41) which are connected to actuators in the front of solenoids of electromagnetic gates.

Applicants respectfully submit that the art cited fails to anticipate the present claims. The cited reference refers to a movable side plate 13 connected at the upper portion to the side plate 12 by means of a hinge such as to be opened downwardly. The apparatus described in the present invention involves two or more segments hinged together in pivotal connection. In particular, the pivotally connected segments are adapted to pivot around the hinge from a closed position to an open position upon detection of a coin by one or more sensors, as described, for example, in Claim 1. Abe does not operate to pivot a portion of the race wall from a closed position to an open position as described and claimed in the present invention. See, e.g., Column 4 lines 9-12 and Fig 7-9. Rather, as stated in Abe with respect to solenoid operated gate:

There is an outlet 18 of the coin passage which is provided with a conventional solenoid operated gate (not shown in Fig 8) which is operated by an output signal from a control circuit connected to the sensor coil 17 and a genuine coin passage 19 which is arranged so as to selectively pass two kinds of coins through a conventional branching device to outlets 20 and 21 for large and small genuine coins, respectively.

Abe, Column 4, lines 19-26. Abe's solenoids operated gates are not in mechanical connection with the pivotal portion of the race wall and do not serve to open and close the side plates 12 and 13 of Abe. The actuator of Abe would not result in the movement of the race wall as described and claimed in the present invention.

As Abe fails to anticipate the claims for the reason stated above, Applicants respectfully submit that the remaining grounds for rejection are obviated.

### **CONCLUSION**

Applicants respectfully submit that the above remarks fully respond to the Examiner's rejection. Applicants submit that the claims are in proper form and condition for allowance. If the Examiner believes a telephone interview would further prosecution of this case, the Examiner is invited to call the undersigned at (415) 848-3226.

It is believed that a sufficient extension fee is included; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Assistant Commissioner is authorized to deduct said fees from Howrey Deposit Account No. 01-2508, referencing client/matter number 10356.0035.NPUS00.

Respectfully submitted,

Dated: July 6, 2009

/Glenn W. Rhodes/  
Glenn W. Rhodes, Reg. No. 31,790

HOWREY LLP  
2941 Fairview Park Drive, Box 7  
Falls Church, VA 22042-2924  
Telephone: (415) 848-3226